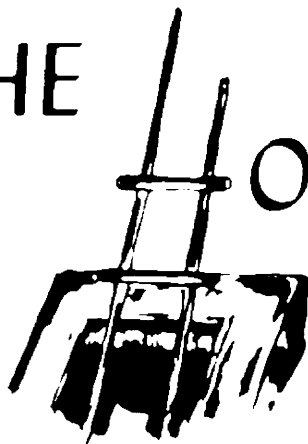


# THE HOPI TRIBE



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DIV. OF OIL, GAS & MINING

Ivan L. Sidney  
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VICE CHAIRMAN

May 30, 2006

Mary Ann Wright, Associate Director, Mining  
Attention: Pamela Grubaugh-Littig  
State of Utah, Department of Natural Resources, Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210, P.O. Box 145801  
Salt Lake City, Utah 84114-5801

*Jacobs*  
4/007/0013

Dear Ms. Wright,

Thank you for the May 19, 2006 correspondence on behalf of the federal Office of Surface Mining, with an enclosed Class II cultural resources survey proposal, regarding the Lila Canyon Extension of the Horse Canyon Mine. As you know from our February 13 and March 27, 2006, letters and your subsequent telephone consultations on this project with our office, the Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Utah, and therefore we appreciate your continuing solicitation of our input and your efforts to address our concerns.

As you also know from our previous letters and consultations on this project, the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties. In our previous letters we stated that we understood that 42 acres of the 4,660 acre project area has been surveyed for cultural resources, and three prehistoric sites have been identified.

In our March 27<sup>th</sup> letter, we stated that we consider sites 42EM2255, 42EM2256, and 42EM2517 to be Traditional Cultural Properties. We further stated that your March 7, 2006, correspondence describing a "phased identification and evaluation" did not satisfy the federal Office of Surface Mining's obligations pursuant to the National Historic Preservation Act to identify cultural resources that may be eligible for listing on the National Register of Historic Places, so that a determination of effect for the project, and proposed mitigation of adverse effects, can be appropriately made and addressed.

We have now reviewed *A Proposal and Sampling Design for a Class II Inventory of the Area of Potential Subsidence, Lila Canyon Extension, Emery County, Utah*, by Montgomery Archaeological Consultants. We have also reviewed the Southern Utah Wilderness Alliance letter dated May 25, 2006, regarding the proposed sampling design.